

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: S.H. Kappe et al. Attorney Docket No.: SBHU127448  
Application No.: 10/583186 Art Unit: 1645 / Confirmation No.: 2202  
Filed: May 15, 2007 Examiner: Albert M. Navarro  
Title: LIVE GENETICALLY ATTENUATED MALARIA VACCINE

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REJECTION OVER "PRIOR" PATENTS**

TO THE COMMISSIONER FOR PATENTS:

Seattle Biomedical Research Institute, an independent nonprofit organization having a principal place of business at 307 Westlake Avenue North, Suite 500, Seattle, Washington 98109, and Ruprecht-Karls-Universität Heidelberg, an institute of higher education having a principal place of business at Seminarstrasse 2, Heidelberg, Germany 69117, represent that they are the owners of the entire right, title, and interest in the above-identified patent application by an assignment from the inventors of the above-identified patent application. The assignment to Seattle Biomedical Research Institute was recorded in the U.S. Patent and Trademark Office at Reel 017953, Frame 0867; and the assignment to Ruprecht-Karls-Universität Heidelberg was recorded at Reel 017953, Frame 0882.

The owners hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 7,122,179 and U.S. Patent No. 7,261,884, and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to prior U.S. Patent No. 7,122,179 and U.S. Patent No. 7,261,884, this agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors, or assigns.

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For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SEATTLE BIOMEDICAL RESEARCH INSTITUTE

AUGUST 14, 2009  
Date

Randy Hassler  
Name: Randy Hassler  
Title: Vice President of Operations and Finance

RUPRECHT-KARLS-UNIVERSITÄT HEIDELBERG

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Date

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